

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LUX GLOBAL LABEL COMPANY, LLC :
Plaintiff,

v. :

CIVIL ACTION
NO. 18-5061

JAMES H. SHACKLETT, IV; CCL INDUSTRIES, :
INC.; CCL INDUSTRIES (USA) CORP.;
CCL INDUSTRIES CORPORATION; CCL
LABEL INC.; CCL LABEL CORP.; CCL :
TUBE (WILKES-BARRE), INC.; and, XYZ CCL
COMPANIES 1-100
Defendants. :

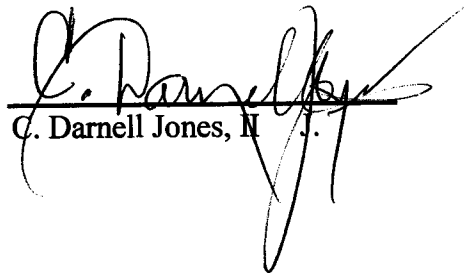
ORDER

AND NOW, this 31st day of July 2019, upon consideration of Defendants CCL Industries (USA) Corp., CCL Industries Corporation, CCL Industries, Inc., CCL Label Corp., CCL Label Inc., CCL Tube (Wilkes-Barre), Inc., and James H. Shacklett's Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted (ECF No. 33) and Plaintiff's Response in Opposition thereto (ECF No. 47), it is hereby ORDERED as follows:

- (1) Defendants' Motion is GRANTED as to all claims against CCL Industries (USA) Corp., CCL Label Corp., CCL Industries Corporation, CCL Label, Inc., and XYZ CCL Companies 1-100, and all claims against said parties shall be dismissed with prejudice;
- (2) Defendants' Motion is DENIED as to Counts I, II, IV, VI, and VII against Defendants CCL Industries, Inc., CCL Tube (Wilkes-Barre), Inc. and James H. Shacklett, IV;
- (3) Defendants' Motion is GRANTED as to Count III and Plaintiff is granted leave to amend said claim;

- (4) Defendants' Motion is GRANTED as to Count V against Defendants CCL Industries, Inc. and CCL Tube (Wilkes-Barre), Inc.;
- (5) Defendants' Motion is DENIED as to Count V against Defendant James H. Shacklett; and,
- (6) **On or before August 30, 2019**, Plaintiff shall file its Amended Complaint in accordance with this Order and the court's accompanying Memorandum.

BY THE COURT:


C. Darnell Jones, II